

REMARKS

Paragraph [0004] is amended to specify that “the Bosch method typically provides a roughness of about 220 nm.” And that “optical components typically require reflecting surfaces with a roughness less than about 50 nm.” These quotes are extracted from page 3, lines 9-12 of U.S. Patent application serial number 09/690,959. The first paragraph on page 1 of U.S. Patent application serial number 09/723,757 incorporates U.S. Patent Application serial number 09/690,959 by reference. Paragraph [0051] of the current application incorporates U.S. Patent Application serial number 09/723,757. Accordingly, no new matter has been added.

Rejection of Claims 1-34 under 35 USC 103(a)

Independent Claim 1 and 22 are amended to specify employing the etching medium to form one or more waveguide surfaces to a smoothness less than 220 nm. Additionally, Independent Claim 1 is amended to specify that the etching medium includes components from Claim 6 and Independent Claim 22 is amended to specify that the etching medium includes components from claim 26.

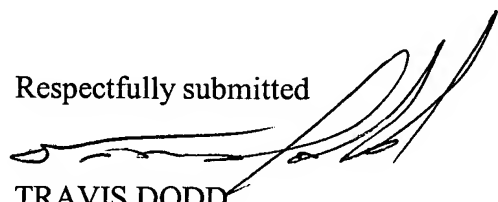
Claims 1-39 stand rejected over various combinations of U.S. Patent 4,776,661 (Handa), U.S. Patent 5,874,362 (Wong), U.S. Patent 6,235,214 (Deshmukh) and U.S. Patent Application 2001/0001652 (Kanno). None of these references teach or suggests that the specified etching medium compositions can form surfaces having a smoothness less than 220 nm. As a result, an inventor examining these references has no reason to expect that the etches in these references can successfully provide the smoothness levels set forth in the claims. Hence, these references do not provide the Applicant with the expectation of success required for a prima facie case of obviousness.

CONCLUSION

In light of the Amendments and arguments set forth above, Applicants believe they are entitled to a letters patent. The Examiner is encouraged to contact the undersigned with any questions.

Date: 8/23/03

Respectfully submitted



TRAVIS DODD
Reg. No. 42,491

Law Offices of Travis L. Dodd
A Professional Corporation
2490 Heyneman Hollow
Fallbrook, CA 92028
Telephone: (760) 731-3091
Fax: (760) 728-1541
E-mail: LISDodd@aol.com